

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

WILLIE LEE BRYANT

PLAINTIFF

V.

CIVIL ACTION NO. 3:13CV800 DPJ-FKB

P.S. TUCKER, ET AL.

DEFENDANTS

ORDER

This cause came on this date to be heard upon the Report and Recommendation [43] of the United States Magistrate Judge, after referral of hearing by this Court. Following an omnibus hearing, Magistrate Judge Ball recommended dismissal of Bryant's § 1983 action as frivolous. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the unopposed Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and count as a "strike."

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

**SO ORDERED AND ADJUDGED** this the 22<sup>nd</sup> day of September, 2014.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE